

REMARKS

The Examiner has acknowledged that Claims 8-10 are directed to allowable subject matter.

Also, the Examiner has objected to Claims 2-7 as being dependent upon a rejected base claim. The claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Pursuant to 37 CFR Section 1.111(b), Applicant requests that the Examiner's objection to Claims 2-7 be held in abeyance. If the Examiner should be persuaded by this response to allow independent base claim from which the objected-to claims depend, the basis for the objection will be removed.

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,033,087, which issued to Shozo et al (Shozo).

The Examiner is of the opinion that Shozo discloses a white light emitting diode having an aperture for emitting a light beam in an arc of about 120 degrees in horizontal and vertical planes and a lens for receiving the beam and reducing in a horizontal and vertical plane to about 60 degrees and reducing the beam in the vertical plane to about 60 degrees (FIG. 1).

Applicant respectfully submits that the Shozo patent cited by the Examiner as anticipating the instant invention, does not contain all of the material elements recited in Applicant's Claim 1. With particular attention to column 3, lines 26-44, Shozo teaches an illuminating device which contains a plurality (e.g., eight) of LEDs of different colors, i.e., red, blue and green. Also, Shozo fails to disclose a white LED having an aperture for emitting a light beam in an arc of about 120 degrees in horizontal and vertical planes. Moreover, Shozo fails to disclose a lens for reducing the received beam in a horizontal plane to about 60 degrees and reducing the beam in a vertical plane to about 60 degrees. Column 3, lines 45-47 of Shozo mentions a diffusion angle of the projected light which is approximately 10 degrees. Clearly, Shozo fails to disclose a white LED as recited in Claim 1. In view of the above, Applicant respectfully submits that Shozo fails to disclose the present invention as recited in independent Claim 1. Accordingly, the rejection is

deemed improper since Shozo does not satisfy the essential requirement for a proper rejection under 35 U.S.C. § 102(a).

The Application with Claims 1-10 is deemed in condition for allowance and such action is respectfully urged. Should the Examiner believe that minor differences exist which, if overcome, would pass the Application to allowance and that said differences can be discussed in a phone conversation, the Examiner is respectfully requested to phone the undersigned at the number provided below.

Respectfully submitted,



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